

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**GREGORY J. TURLEY,**

**Plaintiff,**

**vs.**

**DANNY BEDINGER, et al.,**

**Defendants.**

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**Cause No. 3:08-CV-00007**

**MOTION FOR LEAVE TO FILE RESPONSE  
TO UNTIMELY RULE 59(e) MOTION**

Plaintiff Gregory Turley, by and through his attorney, moves this Court for leave to file his response to Defendants' untimely Rule 59(e) Motion out of time, stating as follows:

1. This Court should grant Plaintiff leave to file his response out of time to Defendants' untimely Motion to Reconsider. See Doc. 372.
2. When Defendants filed their untimely Motion to Reconsider on September 28, 2018, Plaintiff wrongly assumed this Court would dismiss the motion as a matter of routine without the need to file a response. Subsequently, when the case was reassigned to Judge Sison without the Court taking action, it became apparent that it was necessary for Plaintiff to address the motion before the new Judge.
3. Plaintiff believes that this Court's September 26, 2018 Order was an important civil rights judgment meriting consideration, and that Defendants will not be prejudiced by granting Plaintiff leave to file a response.

**WHEREFORE,** Plaintiff prays that this Court grants him leave to file the attached Response, Exhibit A, Response To Defendants' Untimely Rule 59(e) Motion.

**WITZEL, KANZLER & DIMMITT, LLC**

By: /s/ Jay L. Kanzler  
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**CERTIFICATE OF SERVICE**

I hereby certify that on the 11th day of March 2019, the foregoing was electronically filed with the Clerk of the Court using the CM/ECF system and sent to all parties of record

/s/ Jay L. Kanzler